

We will offer an amendment. My colleague says he was promised and he was concerned about that. I understand all that. All I am saying is, we are going to have this debate, this amendment, and this vote. It is going to be on health care. That is where it ought to be. It ought to be on the health care bill.

I know that when we have this discussion, we are going to have people say: If you do not allow the prescription drug folks, the pharmaceutical industry, to charge these prices in our country, they will do less research into finding cures for these deadly diseases.

You know what, the fact is they spend more money on promotion, marketing, and advertising than they do on research. That is a fact. I mean you get up in the morning and turn the television set on, perhaps while you are brushing your teeth or something, and then listen to the ads. The ads push at you every single day: Go ask your doctor today. It is Wednesday. Ask your doctor, is the purple pill right for you?

I do not know what the purple pill is, but it makes you feel like you should go ask somebody if I should be taking the purple pill.

Go ask your doctor whether you might need Flomax. Go ask your doctor what you ought to be getting, what you ought to be taking that you now do not know about or are not taking.

All these things are pushed at consumers in circumstances where the only person who can prescribe that prescription drug is a doctor who has decided you need it for your health. Yet every single day, relentlessly across this country on television, in the journals and newspapers and publications it says: Go check with your doctor. Ask your doctor if you should be taking this medicine.

What about cutting back on some of that and reducing the price of prescription drugs? What about that? Let me make one other point, if I might. My colleague indicated he has offered this, which is a funding limitation on prescription drugs. The fact is, this has been a long and difficult trail to pass legislation.

I understand. Were I working for the pharmaceutical industry, I would understand why you want to retain this little piece in Federal law that says: The only entity that can reimport or import drugs into this country is the company that manufacturers them. I understand why they want that to be the case. Because it allows them to price, in this country, however they want to price.

But we are told constantly this is a new economy, a global economy. If it is a global economy, then what about allowing the American people the freedom to access that global economy to find the identical FDA-approved prescription drug where it is sold for half the price?

They say: Yes, but you know what, if we do that, we are going to open it up to counterfeit drugs and so on. Guess

what. Europe has been doing this for 20 years. It is something called parallel trading. In Europe, if you are in Germany and want to buy a prescription drug from France, if you are in Spain and want to buy a prescription drug from England, that is not a problem. They have a plan that is called parallel trading. It has been going on for 20 years, and there are no counterfeit issues of any significance at all.

Europe can do it and we cannot? We cannot keep track of this? The legislation that I and Senator SNOWE and many others, including Senator MCCAIN, have put together carefully has all kinds of safety measures that will dramatically improve the safety of the prescription drugs that are now sold.

It requires pedigrees be established on batch lots so you can track everything back. Everything. The only proposal we are suggesting the American people be given the freedom to do is to access that FDA-approved drug—yes, only FDA-approved drugs—only from countries in which the chain of custody is identical to ours and as safe as ours is. That is all we are talking about.

But that does it the right way. That says: Here is a plan. It funds the FDA to make certain that the drug supplies are safe and so on. This is the right way to do this. That is why we have taken a long time to put this together. It is a piece of legislation that has all the elements you would want to have that gives the American people the freedom to get lower priced drugs, FDA-approved drugs where they are sold and, at the same time, because they would have that freedom, would put downward pressure on drug prices in this country because the pharmaceutical industry would be required to reprice their drugs in the United States.

Let me say, as I always have to say, I do not have a grievance against the pharmaceutical industry. I think it is a great industry. I think it produces wonderful, miracle prescription drugs that if taken can keep you out of an acute care hospital bed, which would be far more expensive. Prescription drugs, if taken, in many cases, can manage a disease that otherwise would have you in a debilitated condition.

I appreciate the research they do. I appreciate the new drugs they develop. Let me say this, that a substantial amount of work, with respect to the development of new drugs, is done with public funding, taxpayer dollars, through the National Institutes of Health, the knowledge from which then goes to the pharmaceutical industry to be able to use to create these drugs. That is a part of it.

Another part of it is the research they do themselves. Good for you, I say. My grievance is not against an industry. I do not want to tarnish this industry. All I want to say is: We deserve fair prices. This country and the consumers in this country deserve fair prices.

We have been trying for 10 years to get this done. If we bring health care reform to the floor of the Senate and say: We are going to do something about health care costs and prices and fail to do something about prescription drug costs, in which the American people are required to pay the highest prices for brand-name drugs, then, in my judgment, we will have failed miserably.

It is my full intention that when we have health care on the floor, which I expect to be within a week or 2 weeks or whenever it comes, but it is coming for sure, I will be here, and I will fully expect and demand the opportunity to offer this amendment because there are 30 Members of the Senate, Republicans and Democrats alike, who have done the work to put together the bill that has all the safeguards and, finally, at long last, will give the American people what they deserve; that is, fair pricing on prescription drugs.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. DORGAN. Of course, I will yield.

Mr. MCCAIN. I am very grateful for the leadership Senator DORGAN has shown on this issue for many years and it has been a pleasure and an honor to work with him on that and many other issues.

I ask my colleague, does the letter that was sent by the majority leader to you and to me and to the Senator from Maine, Ms. SNOWE—I know you have read it—does it concern you that the last paragraph of the letter says:

Notwithstanding these obstacles, I stand by my earlier commitment to make sure the Senate considers S. 1232 as soon as practicable.

And then this is the question I have for the Senator from North Dakota.

If this issue is not addressed during the full Senate's consideration of comprehensive health reform, I guarantee that I will move to proceed to S. 1232 before the end of the year.

My question to the Senator from North Dakota is: Why would there be any question in the majority leader's mind that you or I and Senator SNOWE would let a health reform bill go to the floor and be voted on without it being passed? It seems to me, and may I say, because I have been told twice by the majority leader we would take it up—and those commitments have been reversed—would it not concern you a little bit when it says: "... if this issue is not addressed during the full Senate's consideration of comprehensive health reform ..."

That is my question. That is what I am concerned about, that parliamentary procedures would be used. You and I have seen it before. The tree filled up. Cloture invoked, et cetera, where there have not been amendments that were clearly important to that legislation, not allowed to be considered.